



YOUTH COMMUNITY CORRECTIONS BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: YCC 60-17	Subject: REFERRAL FOR OUT-OF-HOME PLACEMENT
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Applicable ACA Standards: 2-7102, 2-7103, 2-7104, 2-7105, 2-7106, 2-7123	Revision Date: 01-09-06, 11-06-06, 11-23-07, 08-17-09, 02-17-10
Signature: /s/ Karen Duncan	Effective Date: 12-31-02
Signature: /s/ Steve Gibson	

I. BUREAU DIRECTIVE:

The Youth Community Corrections (YCC) Bureau will establish guidelines, criteria, and standard procedures for Juvenile Parole Officers (JPO) when referring juvenile parole youth to out-of-home placements. This procedure will be reviewed annually and updated as needed.

II. DEFINITIONS:

Commit - to transfer to legal custody.

Guardian – an adult who is either the parent or another individual to whom the court has granted guardianship. Legal custody does not equate to guardianship.

Legal Custody - the legal status created by order of the court of competent jurisdiction that gives a person the right and duty to:

- A. have physical custody of the youth;
- B. determine with whom the youth shall live and for what period;
- C. protect, train, discipline the youth; and,
- D. provide the youth with food, shelter, education, and ordinary medical care.

Out-of-Home Placement - placements of a youth with extended family members, independent living, foster care, shelter care, group home care and residential treatment facilities.

Placement - a youth's residence as determined by the Department of Corrections Youth Services Division.

III. PROCEDURES:

A. Purpose:

- The Youth Court Act provides that whenever possible the unity and welfare of the family should be preserved.
- Separating the youth from their parents is appropriate only when necessary for welfare of youth or for the safety and protection of the community.

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3. Placement decisions must consider the prevention and reduction of juvenile delinquency through immediate, consistent enforceable consequences of a youth's actions.
4. The Department of Corrections has legal custody of youth committed to the department for placement in a youth correctional facility. The Department has the authority to place youth out-of-home without parental approval. However, parental cooperation and teamwork is encouraged.

B. Criteria for Placement

In determining when a youth will be placed, the following criteria shall be considered:

1. significance of the parole violation;
2. youth family and community safety issues;
3. significant family problems;
4. community resistance;
5. barriers to accomplish the youth's treatment plan;
6. barriers to the youth complying with the Juvenile Parole Agreement;
7. inadequate resources available to the youth; and/or
8. lack of access to adequate supervision and/or care.

C. When determining where to place a youth, the following will be considered:

1. least restrictive alternative which meets the needs of the youth and addresses community safety, while considering the offense committed;
2. residential facilities are available for emergency placement of youth;
3. placement is in close proximity to the youth's family/residence;
4. available resources, such as appropriate treatment programs, bed space as well as medical, handicapped, or educational services;

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5. financial resources such as options of financial support, cost of care and cost share agreements;
6. provide appropriate treatment/program with shortest reasonable length of stay;
7. treatment recommendation of professionals;
8. youth's age and treatment needs;
9. placement in a licensed youth care facility or correctional facility; (unless the placement is with the parent or person with legal custody);
10. placement in a facility which has a contract with the Department of Corrections;
11. for an out-of-home placement, (excluding shelter care) the Montana Placement Guideline score shall be 8 points or above, unless approved by YCC Bureau Chief;
12. for placement in a correctional facility or other recognized secure care facility, the Montana Placement Guideline score shall be 12 points or above, unless approved by the YCC Bureau Chief or ordered by the court with an override explanation;
13. a youth recommended for a residential treatment facility (not group home) must meet the criteria listed in [ARM 20.9.120](#).

D. STEPS:	RESPONSIBILITY:
1. Determine level of care and services needed and type of facility most appropriate for youth.	JPO
2. Before placing a youth, obtain written approval from YCC Bureau Chief of proposed placement options [Refer to YCC 60-17 (D) Pre-Approval of Proposed Placement Options and Service Options & Justification of Extended Stay].	JPO
3. Contact will be made to several appropriate facilities to determine space availability and to gain referral information required.	JPO
4. A referral packet will be submitted to the appropriate facility. Referral information may include:	JPO

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- a. Common Application for Residency Care [Refer to [YCC 60-17 \(A\), Common Application for Residency Care \(DPHHS Form\)](#)];
 - b. facility/program application, (when applicable);
 - c. release of information;
 - d. chemical dependency information (evals) mental health information (evals);
 - e. school records;
 - f. social and family background and history;
 - g. report to the court;
 - h. court order;
 - i. medical and immunization records;
 - j. birth certificate;
 - k. copies of social security card;
 - l. previous placement history; and
 - m. face sheet.
5. Consult with receiving JPO for parole cases that are shared or transferred (refer to [YCC 60-11, Case Management Responsibility](#)). JPO
6. Assure all cost shares with Managed Care, DPHHS, parent's insurance is approved or certified prior to placement. JPO
Regional
Administrative Officer
7. Residential and non-residential programs that are not a part of the parent agency are governed by a written agreement with the placing authority. An [Individual Youth Placement Agreement \[60-17 \(C\)\]](#) is completed if there is no contract with the Department of Public Health and Human Services (DPHHS), if the provider expects payment greater than the contracted rate, and for all out-of-state placements. JPO
8. For placement into Psychiatric Residential Treatment Facilities (PRTF), correctional facility caseworkers or JPOs must obtain written parental approval of placement and JPO

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treatment using a [Psychiatric Residential Treatment Facility Placement Consent Form \[YCC 60-17 \(E\)\]](#). In the event that a parent, guardian, custodian, or their representative's signature cannot be obtained, the attempts to obtain this must be documented. In this case, the signature from the Superintendent of the youth correctional facility must be obtained. The caseworker or JPO should consult with the Financial and Program Services Supervisor or their Regional Administrative Officer regarding medical necessity requirements for Medicaid.

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| 9. | Apply to all three in state PRTF before exploring out of state placements | JPO |
| 10. | When accepted into placement, arrange for transportation and appropriate intake at the facility. | JPO |
| 11. | Enter into automated systems as appropriate and complete Medicaid application CSEA-1 [60-17 (B)] . | JPO |
| 12. | Maintain case management responsibilities and request continued funding approval every three months. | JPO |
| 13. | Complete Medicaid redetermination forms as required by DPHHS. | JPO |

IV. CLOSING:

Questions concerning this procedure shall be addressed to the Youth Community Corrections Bureau Chief.

V. REFERENCES:

41-3-1104, MCA	Youth Facilities
41-5-102, MCA	Declaration of Purpose of Youth Court Act
41-5-103(4&20), MCA	MCA Definitions
41-5-124, MCA	Temporary and Emergency Placements - limit
41-5-1523(1), MCA	Commitment to Department
41-5-1523(1b), MCA	Supervision

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[52-5-127, MCA](#) [Control Over Youth released under parole agreement](#)
[YCC 60-11](#) [Case Management Responsibility](#)

VI. ATTACHMENTS:

[YCC 60-17 \(A\) Common Application for Residency Care \(DPHHS form\)](#)
[YCC 60-17 \(B\) CSEA - 1 Form](#)
[YCC 60-17 \(C\) Individual Youth Placement Agreement](#)
[YCC 60-17 \(D\) Pre-Approval of Proposed Placement Options and Service Options &
Justification of Extended Stay](#)
[YCC 60-17 \(E\) Psychiatric Residential Treatment Facility \(PRTF\) Placement Parental Consent
Form](#)